

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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| IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION | MDL No. 2875 HON. ROBERT B. KUGLER |
| THIS DOCUMENT RELATES TO ALL CASES | |

NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION

TO: **Victoria Lockard, Esq.**
Greenberg Traurig, LLP
333 Piedmont Road NE, Suite 2500
Atlanta, GA 30305

Attorneys for Defendants

Please take notice that pursuant to Federal Rule of Civil Procedure 30, and other applicable Rules, including the Local Civil Rules, and the applicable Orders of the Court, Plaintiffs, by and through their counsel, will take the videotaped deposition via Zoom, of **John Flack**, on February 1, 2023, at 9:00 a.m. Central time, and continuing until completion that day, at The Crowne Plaza – Springfield, 3000 S Dirksen Pkwy, Springfield, IL, 62703, via Zoom, in accordance with the Fact Witness Deposition Protocol, Case Management Order #20, filed November 17, 2020 (Document 632). The witness shall produce the documents requested at Exhibit A, attached hereto, at least two days in advance of the deposition, to the extent not already served upon Plaintiffs.

TAKING ATTORNEY FOR PLAINTIFFS:

C. Brett Vaughn
HOLLIS LAW FIRM, P.A.
8101 College Blvd. Ste 260
Overland Park, KS 66210
Tel: 913-385-5400
brett@hollislawfirm.com

The videotaped deposition will be taken via Zoom before a person authorized by law to administer oaths, pursuant to Rule 28 of the Federal Rules of Civil Procedure.

Dated: January 19, 2023

PLAINTIFFS' COUNSEL

By: /s/ C. Brett Vaughn
C. Brett Vaughn
HOLLIS LAW FIRM, P.A.
8101 College Blvd. Ste 260
Overland Park, KS 66210
Tel: 913-385-5400
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EXHIBIT A

DOCUMENT REQUESTS

1. Copies of all invoices for work performed in connection with any consultation or expert work performed for or on behalf of any defendant or their counsel with regard to any issues in this MDL, including but not limited to for the review of documents, review and consultation with regard to plaintiff experts, preparation of the expert's report, and preparation for deposition or trial.
2. Any notes, i.e. written or electronic, reflecting consulting or litigation work that has not been documented in invoices.
3. All documents relating to any remuneration you have received from any manufacturer, distributor, or retailer of pharmaceutical drugs.
4. Any articles, presentations, seminars, classes, or other similar documents (including PowerPoint-type slides) authored or used by Mr. Flack relating to regulatory inspections, audits, cGMP compliance, USP monographs, the Orange Book, RLDs, NDAs, ANDAs, DMF, hypertension, treatments for hypertension, ARBs, adulteration, and misbranding of drug products.
5. Any articles, presentations, seminars, training course, classes or other similar documents (including PowerPoint-type slides) authored by Mr. Flack and any aspect of FDA regulatory compliance for pharmaceutical drugs, including but not limited to cGMP compliance.
6. Copies of any documents or articles relied upon for the opinions set forth in the report served, if not listed in the report.
7. Copies of any documents or articles reviewed in connection with the report served, whether or not listed in the report or attachments thereto.
8. Copies of all Publications and Presentations listed in Mr. Flack's CV, and any updated CV or testimony list.
9. Any illustrations, PowerPoints, images, charts, tables or demonstrative exhibits that may be used by or with Mr. Flack in connection with a Daubert hearing or trial testimony in this litigation.
10. Documentation of any prior work Mr. Flack has done as a consultant for any of the Defendants in this action.

11. All documents reflecting valsartan or any other drug recalls relating to nitrosamines that you received, reviewed, or sent.
12. Any documents or other communications the witness has received from any person or entity with regard to nitrosamine impurities in any angiotensin II receptor blocker or other drug, outside of information provided by counsel who retained the witness.
13. Any communications from the witness to any person or entity with regard to nitrosamine impurities in any angiotensin II receptor blocker or other drug, outside of communications to counsel who retained the witness.
14. Any textbook referenced by the witness in forming his opinions.
15. All documents relating to any pharmacy benefit on you consulted, including identity of entities and persons with whom you consulted.
16. Copies of all transcripts of testimony under oath given by Mr. Flack in the last 10 years.

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CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2023, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

PLAINTIFFS' COUNSEL

By: /s/ C. Brett Vaughn
C. Brett Vaughn
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